

REMARKS:

The present amendment is for the purpose of replacing claims 1-9 with claims 10-28. In making this amendment, claims 10-28 have been drafted to clearly define over the Grivel product, as shown in the photographs submitted with the Information Disclosure Statement. It is to be understood, however, that applicant does not know whether, in fact, the Grivel product shown in those photographs is actually prior art. In view of the possibility of that product shown in those photographs being prior art the product has been cited by applicant in accordance with the duty to disclose. It is to be understood, however, that such citation and indeed the drafting of the claims to differ from the Grivel product shown in those photographs are not intended as an admission that the Grivel product shown in those photographs is prior art.

Claims 10-28 include three independent claims, namely, claims 10, 18 and 24.

Independent claim 10 includes among its features a foldably mounted heel support. Such feature is clearly lacking in the Grivel product shown in those photographs


Independent claim 18 includes the feature of all of the spikes at the forefoot region being generally perpendicular to the forefoot region. This differs from the Grivel product where spikes are inclined at a shallow angle. Examiner Patterson's attention is directed to page 8 in the paragraph beginning at

line 19 of the specification which discusses this feature of claim 18. As pointed out therein this feature provides optimal traction when climbing straight uphill and this traction is enhanced by the flexing of the unit in accordance with the manner also described in claim 18 which allows the teeth to maintain an advantageous angle.

Remaining independent claim 24 includes among its features "the flexible linkage being a multilayer extender bar wherein the layers are mounted together while allowing relative movement between the individual layers". Such feature is also lacking the Grivel product, particularly in combination with the other features of claim 24.

For the reasons submitted above this application should be passed to issue.

Respectfully Submitted,

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